

DEC 21 2007

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RODNEY DOUGLAS GRIFFEE,

Defendant - Appellant.

No. 07-30286

D.C. No. CR-03-00564-ALH

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Oregon
Ancer L. Haggerty, District Judge, Presiding

Submitted December 17, 2007^{**}

Before: GOODWIN, REINHARDT and W. FLETCHER, Circuit Judges.

This is an appeal of the district court's July 13, 2007 order denying
appellant's post-judgment motions for production of evidence.

^{*} This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

The government appears to believe erroneously that this is a direct appeal of appellant's conviction or sentence. If this were such a direct appeal, it would be untimely because the amended judgment was entered on August 11, 2006. In addition, the Notice of Appeal expressly states that appellant is seeking review of the district court's July 13, 2007 order denying his post-judgment motions for production of evidence.

A review of the record indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

All pending motions are denied as moot.

AFFIRMED.